

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

<b>LAWRENCE OUELLETTE,</b>	)	
	)	
<b>PLAINTIFF</b>	)	
	)	
<b>v.</b>	)	
	)	
<b>NORMAN GAUDETTE, <i>in his</i></b>	)	
<b><i>individual capacity; ROGER</i></b>	)	<b>CIVIL No. 2:16-cv-53-DBH</b>
<b><i>BEAUPRE, in his official capacity</i></b>	)	
<b><i>as Chief of Police for the Biddeford</i></b>	)	
<b><i>Police Department and in his</i></b>	)	
<b><i>individual capacity; and CITY OF</i></b>	)	
<b>BIDDEFORD,</b>	)	
	)	
<b>DEFENDANTS</b>	)	

**ORDER ON DEFENDANT GAUDETTE’S OBJECTION TO  
MAGISTRATE JUDGE DISCOVERY DISPUTE RULING**

This is a Rule 72(a) appeal<sup>1</sup> of the Magistrate Judge’s discovery dispute ruling that a technical violation of a confidentiality order occurred. Although he noted the technical violation, the Magistrate Judge ordered no relief. But the defendant Gaudette, the party appealing the ruling, is concerned that the ruling might affect him in other litigation. It appears, however, that there is no case or controversy remaining in the appeal. In the appeal, Gaudette requested “[i]n the alternative . . . that the Court amend the consent confidentiality order such that Gaudette may also use the documents he produced in this case that were marked confidential for the purpose of discovery and trial in [two York County Superior

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<sup>1</sup> See also Local Rule 72.1.

Court cases where he is a party].” Def. Gaudette’s Obj. to Report & Order 8 (ECF No. 74). The appellee Ouellette has responded that he “consents to a modification of the Consent Confidentiality Order permitting Gaudette to make use of documents designated confidential by Gaudette in this matter in [the two York County Superior Court cases] so long as he complies with all other terms of the Consent Confidentiality Order in his use of those documents in those related cases.” Pl.’s Opp’n 3 (ECF No. 76). I therefore conclude that no action is necessary on the appeal. If an actual wording change is required in the Confidentiality Order, the parties shall present a modified Order for signature by either the Magistrate Judge or me.

**SO ORDERED.**

**DATED THIS 5<sup>TH</sup> DAY OF JUNE, 2017**

/s/D. BROCK HORNBY

**D. BROCK HORNBY**

**UNITED STATES DISTRICT JUDGE**